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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(San Joaquin)

In re J.G., a Person Coming Under the Juvenile Court
Law.

C086191

THE PEOPLE,

(Super. Ct. No. JJC-JV-DE-
2016-0001951)

Plaintiff and Respondent,

v.

J.G.,

Defendant and Appellant.

This case comes to us pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*) and *In re Kevin S.* (2003) 113 Cal.App.4th 97 (*Kevin*). Having reviewed the record as required by *Wende* and *Kevin*, we affirm the dispositional order.

BACKGROUND

In July 2016 the then nine-year-old victim told her mother that the then 17-year-old minor, J.G. was touching himself and doing sexual things with her. Her mother reported the matter to the police. Specifically, the victim reported when the minor and

his cousins, including the victim, were sleeping over at their grandmother's house, the minor came into her bedroom in the middle of the night, tapped her on her leg, told her to wake up and that he was "horny" for her. Then he unzipped his pants and masturbated. She told him to stop and he did; he pulled up his pants and left the room. On another occasion, they were in the kitchen, the victim was making noodles and the flavor packet fell on the floor. When she bent down to pick it up, the minor came up behind her and grabbed her genital area and her breasts. She told him to stop and he did.

The prosecution filed a Welfare and Institutions Code section 602¹ petition in February 2017, alleging that between July 1, 2016, and November 1, 2016, the minor committed a lewd act upon a child under the age of 14 years old.² The trial court determined the minor was eligible for deferred entry of judgment under section 790 and ordered the minor detained in juvenile hall. The prosecution filed an amended petition, replacing the February 2017 petition, alleging between January 1, 2016, and July 1, 2016, the minor committed a lewd act upon a child under 14 years old and had contact with a minor for a sexual offense.

Following a contested hearing, the juvenile court found the allegations of the amended petition true. The juvenile court adjudged the minor a ward of the court and determined the maximum term of confinement was nine years and ordered him placed at home on probation. The juvenile court imposed various fines and fees, including a \$100 restitution fine (§ 730.6, subd. (b)(1)).

¹ Undesignated statutory references are to the Welfare and Institutions Code.

² The prosecution filed an original section 602 petition alleging that in May 2016, the minor committed a lewd act upon a child under the age of 14 years old on a different child victim. After a contested jurisdiction hearing in April 2017, the trial court dismissed the petition for insufficient evidence.

DISCUSSION

We appointed counsel to represent the minor on appeal. Counsel filed an opening brief that sets forth the facts of the case and requests this court to review the record and determine whether there are any arguable issues on appeal. (*Wende, supra*, 25 Cal.3d 436; *Kevin, supra*, 113 Cal.App.4th 97.) The minor was advised by counsel of the right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days have elapsed, and we have received no communication from the minor.

Having undertaken an examination of the entire record, we find no arguable error that would result in a disposition more favorable to the minor.

DISPOSITION

The dispositional order is affirmed.

RAYE, P. J.

We concur:

ROBIE, J.

RENNER, J.